

REMARKS/ARGUMENTS

In a Final Office Action dated November 18, 2008, the Examiner noted that claims 1-9, 11-19 and 21-23 are pending in the application and that claims 1-9, 11-19 and 21 stand rejected. In response, the Applicant submitted a Reply to the Final Office Action dated January 29, 2009 in which arguments were presented attempting to distinguish the Applicant's claims over the cited prior art. The Examiner responded to the Applicant's reply of January 29, 2009 with an Advisory Action dated February 11, 2009, in which the Examiner indicated that the Applicant's reply has overcome the rejections of claims 5-6, 16 and 21-23. As such, the Applicant's claims 5, 6, 16 and 21-23 are objected to but would be allowable if re-written to include the limitations of the base claim and any intervening claims. The Applicant's claims 1-4, 7-9, 11-15 and 17-19 stand finally rejected. By this response, the Applicant's claims 1 and 12 have been amended to include the technical limitations of the Applicant's claims 5 and 16, respectively, which the Examiner conceded were allowable over the cited prior art.

The Applicant gratefully acknowledges the Examiner's indication of allowable subject matter, and in view of the amendments presented above and the following discussion, the Applicant respectfully submits that none of the claims now presently in the application are rendered obvious under the provisions of 35 U.S.C. § 103. Thus, the Applicant believes that all of these claims are now in allowable form.

Rejections

A. 35 U.S.C. § 103

The Examiner finally rejected the Applicant's claims 1-4, 7-9, 11-15 and 17-19 under 35 U.S.C. § 103(a) as being unpatentable over McMahon (US Patent No. 7,020,195) in view of Schoner et al. (US Patent No. 6,493,506, hereinafter "Schoner"). However, the Examiner conceded that claims 5-6, 16 and 21-23 are objected to but would be allowable if re-written to include the limitations of the base claim and any intervening claims.

In response, the Applicant has herein amended claims 1 and 12 to include the technical limitations of the Applicant's claims 5 and 16, respectively, which the Examiner indicated were allowable over all cited prior art. Having done so, the

Applicant respectfully submits that the Applicant's amended, independent claims 1 and 12 are not rendered obvious by the teachings of McMahon and Schoner, alone or in any allowable combination, and, as such, fully satisfy the requirements of 35 U.S.C. § 103 and are patentable thereunder.

Furthermore, the Applicant's dependent claims 2-4, 6-9, 11, 13-15, 17-19 and 21-23 depend either directly or indirectly from the Applicant's independent claims 1 and 12 and recite additional features thereof. As such, the Applicant submits that at least because the Applicant's claims 1 and 12 are not rendered obvious by the teachings of McMahon and Schoner, alone or in any allowable combination, the Applicant further submits that the Applicant's dependent claims 2-4, 6-9, 11, 13-15, 17-19 and 21-23, which depend either directly or indirectly from the Applicant's claims 1 and 12, are also not rendered obvious by the teachings of McMahon and Schoner, alone or in any allowable combination, and, as such, fully satisfy the requirements of 35 U.S.C. § 103 and are patentable thereunder.

B. 35 U.S.C. § 103

The Examiner rejected the Applicant's claims 2-3 and 13-14 under 35 U.S.C. § 103(a) as being unpatentable over McMahon and Schoner as applied to claims 1, 4-7, 9, 11-12 and 19-21, and further in view of Kikuchi et al. (US 2003/0147629, hereinafter "Kikuchi"). The rejection is respectfully traversed.

The Examiner applied McMahon and Schoner for the rejection of the Applicant's claims 2-3 and 13-14 as applied above for the rejection of claims 1 and 12 (which now include the technical limitations of allowable claims 5 and 16, respectively). As recited above, the Applicant submits that, as conceded by the Examiner, that the teachings of McMahon, Schoner and Kikuchi absolutely fail to teach or suggest at least "a remaining side, other than the single side, of said storage medium is used for identification and labeling of said storage medium" as previously recited by dependent claims 5 and 16 along with the limitations of the base claims 1 and 12, which the Examiner indicated would be allowable if rewritten in independent form and including the limitations of the base claims, and which limitations are now incorporated into independent claims 1 and 12. As such and at least because the teachings of McMahon, Schoner and Kikuchi absolutely fail to

teach or suggest the Applicant's amended, independent claims 1 and 12, which now include the allowable technical limitations of cancelled claims 5 and 16, respectively, the Applicant further submits that the teachings of McMahon, Schoner and Kikuchi also absolutely fail to teach or suggest the Applicant's dependent claims 2-3 and 13-14 which depend directly from the Applicant's claims 1 and 12, respectively.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

C. 35 U.S.C. § 103

The Examiner rejected the Applicant's claims 8 and 18 under 35 U.S.C. § 103(a) as being unpatentable over McMahon and Schoner as applied to claims 1, 4-7, 9, 11-12 and 19-21, and further in view of Sun (US 2006/0126962). The rejection is respectfully traversed.

The Examiner applied McMahon and Schoner for the rejection of the Applicant's claims 8 and 18 as applied above for the rejection of claims 1 and 12 (which now include the technical limitations of allowable claims 5 and 16, respectively). As recited above, the Applicant submits that, as conceded by the Examiner, that the teachings of McMahon, Schoner and Sun absolutely fail to teach or suggest at least "a remaining side, other than the single side, of said storage medium is used for identification and labeling of said storage medium" as previously recited by dependent claims 5 and 16 along with the limitations of the base claims 1 and 12, which the Examiner indicated would be allowable if rewritten in independent form and including the limitations of the base claims, and which limitations are now incorporated into independent claims 1 and 12. As such and at least because the teachings of McMahon, Schoner and Sun absolutely fail to teach or suggest the Applicant's amended, independent claims 1 and 12, which now include the allowable technical limitations of cancelled claims 5 and 16, respectively, the Applicant further submits that the teachings of McMahon, Schoner and Kikuchi also absolutely fail to teach or suggest the Applicant's dependent claims 8 and 18 which depend directly from the Applicant's claims 1 and 12, respectively.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

Conclusion

The Applicant gratefully acknowledges the Examiner's indication of allowable subject matter and in light of the amendments presented herein submits that none of the claims, presently in the application, are rendered obvious under the provisions of 35 U.S.C. §103. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

The Commissioner is authorized to charge any fee due or credit any overpayments to Deposit Account No. 07-0832.

Respectfully submitted,
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